

DEC 12 2023

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

BY
DEPUTY

Swink

UNITED STATES OF AMERICA §
 §
 § No. 9:23-CR-00002(2)
v. §
 §
 §
ULISES SAUL LOZANO §

FACTUAL BASIS

The government presents to the Court, by and through the undersigned Assistant United States Attorney in and for the Eastern District of Texas, joined by the defendant, **Ulises Saul Lozano**, the defendant's attorney, **James Max Kennedy**, and presents this factual basis in support of the defendant's plea of guilty to Count One of the Indictment and in support thereof, would show the following:

1. That the defendant, **Ulises Saul Lozano**, hereby stipulates and agrees to the truth of all matters set forth in this factual basis, and agrees that such admission may be used by the Court in support of his plea of guilty to Count One of the Indictment, which charges a violation of: 21 U.S.C. §§ 846 and 841(a)(1), conspiracy to possess with the intent to distribute, and distribution of a controlled substance: cocaine HCL.
2. That the defendant, **Ulises Saul Lozano**, who is pleading guilty to such Indictment, is one and the same person charged in the Indictment.
3. That the events described in the Indictment occurred in the Eastern District of Texas and elsewhere.
4. That had this matter proceeded to trial, the government, through the testimony of witnesses, including expert witnesses, and through admissible exhibits, would have proven,

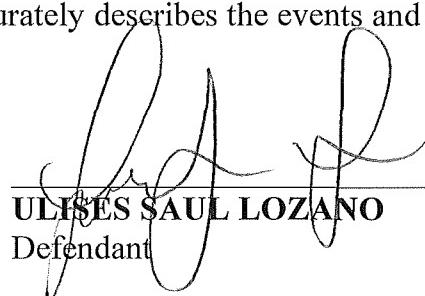
beyond a reasonable doubt, each and every essential element of the offense alleged in the Indictment; specifically, the government would have proven the following stipulated facts:

- a. Between October 2016 through October 14, 2021, the defendant, **Ulises Saul Lozano**, was a member of a conspiracy that existed for the purpose of trafficking cocaine HCL.
- b. During the course of the conspiracy, between October 2016 through October 14, 2021, **Ulises Saul Lozano** conspired and agreed with other persons, to possess with intent to distribute cocaine HCL, into the Eastern District of Texas and elsewhere.
- c. Specifically, between October 2016 through October 14, 2021, **Ulises Saul Lozano** trafficked methamphetamine, cocaine HCL and heroin to co-conspirator, Gustavo Sosa, which was further trafficked to Lufkin, Texas. Lufkin, Texas is within Angelina County, Texas, and the jurisdiction of the Eastern District of Texas.
- d. During another event, on November 20, 2019, the co-conspirator, **Ulises Saul Lozano**, arranged for co-conspirator, Donyeil Hoy, to transport six kilograms of cocaine HCL from Houston, Texas to Chicago, Illinois. On **Ulises Saul Lozano's** behalf, Donyeil Hoy recruited a crew consisting of co-conspirators, Derrian Smith, Kayla Hines and Chrishonde Love, to transport the six kilograms of cocaine HCL to Chicago using the Mega Bus line. A law enforcement surveillance team observed Donyeil Hoy bring Derrian Smith, Kayla Hines and Chrishonde Love to a Houston bus station, and where the group entered a Mega Bus. Law enforcement agents in Dallas detained Derrian Smith, Kayla Hines and Chrishonde Love before they were transported to Chicago. Law enforcement seized two kilograms of cocaine HCL that was concealed on each of them.

e. In total, **Ulises Saul Lozano** is responsible for trafficking and distributing one hundred (100) kilograms of cocaine HCL on behalf of the conspiracy, during the course of the investigation.

5. I have read this factual basis and the Indictment or have had them read to me and have discussed them with my attorney. I fully understand the contents of this factual basis and agree without reservation that it accurately describes the events and my acts.

Dated: 12.12.23


ULISES SAUL LOZANO
Defendant

DEFENSE COUNSEL'S SIGNATURE AND ACKNOWLEDGMENT

6. I have read this factual basis and the Indictment and have reviewed them with my client, **Ulises Saul Lozano**. Based upon my discussions with the defendant, I am satisfied that the defendant understands the factual basis as well as the Indictment, and is knowingly and voluntarily agreeing to these stipulated facts.

Dated: 12.12.23


JAMES MAX KENNEDY
Attorney for the Defendant

Respectfully submitted,

DAMIEN M. DIGGS
UNITED STATES ATTORNEY



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